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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/818,006	03/27/2001	Merrill W. Harriman	SAA-0058	2027

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SQUARE D COMPANY
INTELLECTUAL PROPERTY DEPARTMENT
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PALATINE, IL 60067

EXAMINER

CHRISTMAN, KATHLEEN M

ART UNIT	PAPER NUMBER
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3713

DATE MAILED: 03/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/818,006

Applicant(s)

HARRIMAN, MERRILL W.

Examiner

Kathleen M Christman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

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DETAILED ACTION

Claim Objections

1. Claims 5 and 12 are objected to under 37 CFR 1.75(c), as being of improper dependent form. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 5 improperly depends upon itself. Claim 12 depends from claim 5 and is thus rejected by incorporation. For purposes of examination, claim 5 has been treated as being dependent on claim 1.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4, 6-11, 13-18, 20-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chiang et al (US 5535422) in view of Mustafa (US 2002/0059378 A1). Regarding claim 1, Chiang et al teaches a system and method for training a user on a software product, wherein the user is provides a training hyperlink option in response to the user encountering difficulties, or an error as in claim 3, with programming, and linking the user to customized training resources addressing the difficulties based on the information, so as to provide the user solutions to the difficulties (see col. 18: 65-67). Information is retrieved upon selection of the training hyperlink; see the description of the "Show-Me" features. The training hyperlink option provided in response to a request by the user (claim 2) is taught at col. 18: 55-

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57. The information comprising data indicating at least one part of the software being used by the user is taught at col. 19: 9-11.

Chiang et al fails to teach that information is communicated automatically over a communications network (claim 1), that training resources comprise materials are: presented at an internet web-site (claim 6), are multimedia presentations (claim 7), or a link to a customer service representative (claim 8), that the communications network is a secure network (claim 9) or a private internal network (claim 10), that the training resources are modifiable (claim 13) and can be modified without changes to the software (claim 14).

Mustafa teaches that a communications network for transferring help information in paragraph 004. The various networks and types of training materials are taught in paragraphs 28-30. The ability to modify the training resources without changing the product is taught in the description and use of the "client profile".

It would have been obvious to one of ordinary skill in the art at the time the invention was made to update the features of the Chiang et al invention with the on-line features of the Mustafa invention so as to provide for a more diverse help feature.

It is noted that neither the Chiang et al nor Mustafa inventions are directly drawn to the "software for programming a programmable logic controller". It is the examiner's position that the specific claimed application of the software is not a patentably distinguishing feature. It is old and well known in the art that various software packages may be used during the process of programming a programmable logic controller. The Chiang et al invention is drawn to providing help when a user encounters difficulties in a generic software program. It would be equally applicable to any software product. The Mustafa invention is drawn to a general help feature and not limited to any particular product. As such its use with a software application would be obvious to one of ordinary skill in the art.

Claims 15-18, and 20-24 are a system which corresponds in scope to the method claims 1-4, 6-11, 13 and 14, respectively, and are rejected for the same reasons.

Regarding claims 25 and 26, the limitations of these claims are taught in the "Monitoring User Actions" section of Chiang et al, see col. 15.

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Regarding claim 27, the claim represents an intended use of the user device as it is disclosed in claim 15. It is the examiner's position that the computer system of Chiang et al is capable of performing this function.

4. Claims 5 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chiang et al (US 5535422) in view of Mustafa (US 2002/0059378 A1) further in view of Gardner et al (US 5239617). Chiang et al and Mustafa teach all the limitations of the claimed invention as shown above except for the information containing data indicating atleast one particular error made by the user. Gardner et al clearly teaches this ability at col. 5: 4-9. It would have been obvious to one of ordinary skill in the art to combine the abilities of Gardner to point out a specific error with the inventions of Chiang et al and Mustafa so as to provide an intelligent help system which is tailored to the user's specific needs.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
- a. US 3357113, US 3410001, US 3694931, teach the general state of the art for training a user on a programmable logic controller
 - b. US 6356437 B1- teaches an on-demand system for aided a user to perform a task
 - c. US 6377944 B1- teaches a system for allowing a user to obtain the answer to a question on-line
 - d. US 6388665 B1- teaches pop-up help in a software application
 - e. US 6450818 B1- teaches a system which allows a user to seek immediate help and computer based instruction when a problem is encountered
 - f. US 6209006 B1- teaches a hyperlinked online help system
 - g. US 6259445 B1- teaches a computer system which allows for quick retrieval of help documentation
 - h. US 5754176- teaches a pop-up help system


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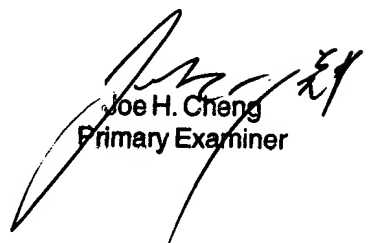
- i. US 5566291- teaches method for allowing a user to provide feedback on a particular software product
- j. US 5421730- teaches a system for providing feedback to a user's actions
- k. US 5442759- a predecessor to the Chiang et al patent used above
- l. US 4941829- teaches a method for providing dynamic feedback to a user
- m. US 4622013- teaches a interactive software training system
- n. US 4541056- teach and instructional system for software programs
- o. US 2001/0046660 A1-teaches a system for on-demand training
- p. US 2001/0032244 A1- teaches an internet based help system

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kathleen M Christman whose telephone number is (703) 308-6374. The examiner can normally be reached on M-F 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on (703) 308-4119. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9302 for regular communications and (703) 872-9303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.


Kathleen M. Christman
March 10, 2003


Joe H. Cheng
Primary Examiner